

Exhibit A

LAS VEGAS JUSTICE COURT
Electronically filed
07/02/2012 08:17:07 AM
John P. Johnson
CLERK OF THE COURT

JUSTICE COURT, LAS VEGAS TOWNSHIP Clark County, Nevada		Case No. <u>12A-002220</u>
Marked and Address of Plaintiff 5146 Caliente LV, NV 89119 702-349-3552		Defendant No. <u>7</u>
Name and Address of Defendant(s) Convergent 0000000000 6 Concourse Plaza #2920 Las Vegas, NV 89119		SMALL CLAIMS COMPLAINT

STATE OF NEVADA)
COUNTY OF CLARK)
ERVIN MIDDLETON STATE THAT Defendant(s) owes Plaintiff(s) the sum of \$ 5000.00
for Violations of the TCPA (Telephone Consumer Protection Act) & the FCRA (Fair Credit Reporting Act)

that a letter demanding payment has been sent; that Defendant(s) refuses to pay; and that Defendant(s) either currently resides, works or does business in the Las Vegas Township, County of Clark, State of Nevada.

☐ I am requesting a court-appointed interpreter because:

☐ I have a communications disability (deafblind/etc.)

☐ I am not fluent in English and I need an interpreter for the following language: _____

Plaintiff's Signature

Ervin Middleton

(Date)

6-27-12

SUBSCRIBED AND SWORN to before me this

____ day of _____, 20____

NOTARY PUBLIC in and for the

County of _____, State of _____

OR: UNSWORN DECLARATION: Per NRS 33.045

"I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct."

(Date) 6-27-12

Signature Ervin Middleton

Printed or printed name: ERVIN M. MIDDLETON

The Plaintiff(s) must serve three (3) documents: (Small Claims Complaint, Instructions to Plaintiff or Defendant, and Small Claims Answer), on each Defendant.

To the above-named DEFENDANT(S):

A SMALL CLAIMS ACTION HAS BEEN COMMENCED AGAINST YOU!

YOU ARE DIRECTED TO E-FILE (electronically file), with the Las Vegas Justice Court Clerk's Office, AN ANSWER WITHIN TWENTY (20) CALENDAR DAYS from the date of service of the Complaint. Use the attached ANSWER form. You must mail a copy of your Answer to Plaintiff(s) immediately after E-File your Answer with the Las Vegas Justice Court. Your failure to Answer (respond to) the Complaint within 20 calendar days may result in the Plaintiff(s) filing a Motion for Default Judgment against you. This means the Referee or Judge may grant a Judgment for the Plaintiff(s) based on the claims/allegations in the Complaint and without considering your possible defense(s) or explanation(s).

INSTRUCTIONS TO PLAINTIFF OR DEFENDANT**Read Carefully****DO NOT FILE THIS FORM WITH THE COURT!**

1. Before filling a Small Claims Complaint, the PLAINTIFF must do the following:

- Send a demand letter, with return receipt requested, to the DEFENDANT. The demand letter must instruct the DEFENDANT to pay the amount due within 10 days of the date that the letter is sent, or the PLAINTIFF will file a Small Claims case against the DEFENDANT.
- Wait at least 10 days from the date the demand letter is sent before filing a Small Claims case against the DEFENDANT.
- Include a copy of the demand letter along with the signed return receipt (as proof of mailing) with the Small Claims Complaint when the Small Claims case is filed against the DEFENDANT.

If the PLAINTIFF does not follow the steps above, including filing a copy of the demand letter and proof of mailing, or waiting 10 days from the date the demand letter is sent before filing a Small Claims case, the Referee or Judge may dismiss the Small Claims case and/or impose another sanction.

2. The PLAINTIFF must file a Small Claims action in the township where the DEFENDANT currently resides, works, or does business.

3. The PLAINTIFF cannot sue in Small Claims court for more than \$7,500.00, excluding interest and costs. Payment by the losing party of the attorney's fees of the winning party is not allowed except in cases involving shoplifting.

4. The PLAINTIFF must show the complete name and address of the DEFENDANT in the caption (*Name & Address of Defendant(s)*) to ensure service on the DEFENDANT. If there are two DEFENDANTS and they reside at different addresses, the PLAINTIFF must include both addresses.

5. The PLAINTIFF may serve the DEFENDANT by licensed private process server, a disinterested third party, or the Constable. The PLAINTIFF, himself or herself, may not serve the Small Claims Complaint on the DEFENDANT. The fully completed Affidavit of Service Form must be filed immediately after the Complaint is served.

6. If a Small Claims Complaint is not served for one year after it is filed, the Judge or Clerk may dismiss the case without prejudice (this means the case may be refiled within the statute of limitations for such cases, but a new filing fee would be required).

7. The PLAINTIFF must pay court costs at the time of filing this Complaint. If a Plaintiff cannot afford the costs, he or she may apply for a fee waiver.

8. The DEFENDANT may electronically file the Answer, no later than 20 calendar days from the date of service of the

Complaint, making any defense to the claim. The Defendant may electronically file the Answer, (\$3.50 charge using credit or debit card) at: <http://wiznet.wiznet.com/clarkhy>, or the Defendant may come to the Court and electronically file, for free, the original copy of the Answer. A copy of this Answer must be mailed by U.S. Mail, first-class postage, to PLAINTIFF immediately after E-Filing the Answer with the Las Vegas Justice Court.

9. If an Answer is filed, the Court will schedule the case for mandatory mediation and will notify all parties of the date, time, and location by mail. All parties, not otherwise exempted from mediation, must appear for mandatory mediation. If the DEFENDANT fails to appear, a mediation judgment may be entered against the DEFENDANT.

10. Standard forms are supplied in order to expedite the handling of Small Claims cases. The forms are designed to cover the most common claims but are not specifically designed for any individual case.

11. If DEFENDANT believes the case should be dismissed, DEFENDANT may petition the Court to dismiss the case and must explain the reasons for the request. A Motion to Dismiss form is available for use. It is designed to cover the most common reasons for dismissal but is not specifically designed for any individual case.

12. Hearings in Small Claims cases are informal and are designed to promote fair and speedy justice. The PLAINTIFF and DEFENDANT may offer evidence, including witnesses, to support their arguments.

13. If English is not your first language and you would like someone to interpret for you during your court appearance, you are encouraged to use a volunteer language interpreter. You may ask a friend, relative, or coworker to come to court to interpret for you. Bringing your own interpreter with you is both effective and efficient and will allow you to better understand the proceedings.

14. If a court-appointed interpreter is needed for a party who does not speak English, or for a party with a communications disability, that party must file a written motion to request an interpreter, and the compensation for that interpreter shall be paid as provided by law.

15. The Las Vegas Justice Court Clerks can neither give legal advice nor assist in completing Court forms. The staff of the Self-Help Center, located on the 1st floor of the Regional Justice Center, can assist in providing information and forms for people who are representing themselves in Court. If you need more detailed assistance, you should consult an attorney.

Original-File

Copy-Plaintiff(s)

Copy-Defendant(s)